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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,618	09/15/2003	John W. Chamberlain	0112300-752	9761
29159 7590 01/29/2008 BELL, BOYD & LLOYD LLP P.O. Box 1135 CHICAGO, IL 60690			EXAMINER NGUYEN, BINH AN DUC	
			ART UNIT 3714	PAPER NUMBER
			NOTIFICATION DATE 01/29/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@BELLBOYD.COM

Office Action Summary

Application No.

10/662,618

Applicant(s)

CHAMBERLAIN ET AL.

Examiner

Binh-An D. Nguyen

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-22 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-22 and 24-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's remarks filed August 28, 2007 with the Pre-Appeal Brief Request have been found persuasive, therefore, prosecution on the merits of this application is reopened, and claims 1-15, 17-22, and 24-29 are considered unpatentable for the reasons indicated below:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 17-22, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Crevelt et al. (US Patent 5,902,983), hereinafter "Crevelt".

Referring to claim 1, Crevelt teaches a gaming device operable to request and receive funds electronically, said gaming device comprising: a game processor operable

to receive a wager from a player to initiate a wagering game (Fig 1 Item 6); an EFT controller operable to process an electronic fund request by the player, the controller operating without direct communication between the game processor (Fig 1 Item 11); a card reader operable with the controller (Fig 1 Item 14); a payment device operable with the processor; the payment device providing a monetary amount to a player upon inserting a card into the card reader and receiving an approval for the electronic fund transfer request from a remote fund repository that communicates with the controller via a banking network (2:50-67); and a housing that supports the controller, the processor, the card reader and the payment device (Fig. 1,2); informing the gaming establishment of the amount (8:42-61).

Referring to claim 2, Crevelt teaches a debit card (2:50-67).

Referring to claims 3-7, Crevelt teaches the amount is gaming credits; credit meter; first display operable to display EFT information; a second gaming display; and an EFT input device (2:10-14, 5:55-63, Fig 1 Items 18, 8, and 16).

Referring to claims 10-12, Crevelt teaches a local casino network that interfaces with the banking (EFT) network and the game processor; the network supports player tracking; and the network has a log (Fig 2, Fig 3 item 74, and Col 5:35- 40).

Referring to claims 14 and 15, Crevelt teaches an EFT processor that send transfer requests and receives response and a second processor that controls a game ticket printer, the two processors are not directly connected, and the fund transfer requires a PIN (Fig 1 Items 6, 11, 14; Col 2:50-67, Col 10:48 through Col 11:9).

Referring to claim 17, Crevelt teaches a gaming device with an EFT controller and a game processor that are not in direct communication with each other, a first network (Upper half of Fig 2) which handles EFT processing limitation as discussed in various embodiments above, a second network (Lower half of Fig 2) which embodies the gaming aspect and receives transferred funds.

Referring to claim 19, it is inherent from Crevelt's teaching that the system would communicate with multiple fund repositories in order for customers to use their debit cards.

Referring to claims 20 and 21, Crevelt teaches that a plurality of devices are linked to the second network at that they can be different games, (Fig 2 Items 22-26 and Col 4:54-60).

Referring to claims 24 and 25, Crevelt teaches a ticket printer located on or alternatively away from the gaming device (10:48-11:9).

Regarding the network configuration of claims. 8, 9, 13, 18, and 22, wherein the banking network is a wide area network (claim 8); wherein the banking network includes an internet (claim 9); an integrated circuit board that interfaces between the processor and the local casino network (claim 13); wherein the first network includes an internet (claim 18); wherein the second network is a local area network (claim 22); these limitation are inherent from Crevelt's network configuration which features the linking of gaming machines within a casino, and interlinking casinos to the remote financial institutions. (Fig 1, 2, Col 1:26-39).

Claims 26-29 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Crevelt et al. (5,902,983).

Referring to claim 26, Crevelt teaches a gaming device as being addressed above which is capable of operating a method of providing a monetary amount for use at a gaming device in a gaming establishment, said method comprising: transmitting from a first processor of the gaming device a fund request amount to a remote fund repository; receiving, at a second processor of the gaming device, a response from the remote fund repository without direct communication between the first processor and the second processor (Fig 1 Item 11); providing the amount for use at the gaming device, if the response is an approval; and informing the game establishment of the amount provided (8:42-61).

Referring to claim 27, Crevelt teaches a local casino network that interfaces with the banking (EFT) network and the game processor; the network supports player tracking; and the network has a log (Fig 2, Fig 3 item 74, and Col 5:35- 40).

Regarding the network configuration of claims 28 and 29 wherein transmitting from the first processor includes transmitting over a wide area network (claim 28); and wherein receiving at the second processor includes receiving from a local area network (claim 29); these limitation are inherent from Crevelt's network configuration which features the linking of gaming machines within a casino, and interlinking casinos to the remote financial institutions. (Fig 1, 2, Col 1:26-39).

Note that, should the applicant successfully overcome the rejection of claim 26 under 35 U.S.C. 102(b), claim 26 is also rejected as being obvious over Crevelt.

Regarding the limitation of "receiving, at a second processor of the gaming device, a response from the remote fund repository without direct communication between the first processor and the second processor," it would have been obvious for a player to request fund directly from his or her bank without first contacting or getting approval from the casino thus provide the player more freedom and control over his/her account and speed up the game preparation process.

Response to Arguments

Applicant's arguments filed August 28, 2007 have been fully considered but they are not persuasive.

Applicant argued that Crevelt does not teach or suggest a game processor and a separate electronic funds transfer control unit that donot directly communicate with each other (Applicant's remark, page 3, line 12 to page 4, line 15) is deemed not to be persuasive. In both game systems of Crevelt and of the outstanding application there is always a communication between a game processor and the EFT controller, regardless of directly or indirectly. Thus Crevelt clearly anticipates applicant's claimed gaming device and system.

Applicant's arguments with respect to claims 26-29 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BN



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